

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
JUN 29, 2021	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL MCCREEDY,

Defendant.

2:19-CR-143-RFB-VCF

**Preliminary Order of Forfeiture**

This Court finds Michael McCreedy pled guilty to Counts One, Two, and Four through Seven of a Seven-Count Criminal Indictment charging him in Counts One, Two, Four, and Five with distribution of a controlled substance in violation of 21 U.S.C. § 841(a)(1); in Count Six with possession of a controlled substance with intent to distribute in violation of 21 U.S.C. § 841(a)(1); and in Count Seven with felon in possession of a firearm in violation of 18 U.S.C. § 922(g)(1). Criminal Indictment, ECF No. 14; Plea Agreement, ECF No. 62; Change of Plea, ECF No. 63.

This Court finds Michael McCreedy agreed to the forfeiture of the property set forth in the Plea Agreement. Plea Agreement, ECF No. 62; Change of Plea, ECF No. 63.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the offenses to which Michael McCreedy pled guilty.

The following property (1) any firearm or ammunition involved in or used in any knowing violation of 18 U.S.C. § 922(g)(1), or any violation of any other criminal law of the United States, 21 U.S.C. § 841(a)(1); (2) any firearm or ammunition intended to be used in any offense punishable under the Controlled Substances Act, 21 U.S.C. § 841(a)(1); (3) any

1 firearm used or intended to be used to facilitate the transportation, sale, receipt, possession,  
2 or concealment of property in violations of 21 U.S.C. § 841(a)(1); and (4) any property used,  
3 or intended to be used, in any manner or part, to commit, or to facilitate the commission of  
4 21 U.S.C. § 841(a)(1) and is subject to forfeiture pursuant to 18 U.S.C. § 924(d)(1) with 28  
5 U.S.C. § 2461(c); 18 U.S.C. § 924(d)(1), (2)(C), (3)(B) with 28 U.S.C. § 2461(c); 21 U.S.C. §  
6 881(a)(11) with 28 U.S.C. § 2461(c); and 21 U.S.C. § 853(a)(2):

- 7 1. a Walther P22, .22 caliber semi-automatic firearm, bearing serial number
  - 8 WA113761; and
  - 9 2. any and all ammunition
- 10 (all of which constitutes property).

11 This Court finds that the United States of America may amend this order at any time  
12 to add subsequently located property or substitute property to the forfeiture order pursuant  
13 to Fed. R. Crim. P. 32.2(b)(2)(C) and 32.2(e).

14 This Court finds the United States of America is now entitled to, and should, reduce  
15 the aforementioned property to the possession of the United States of America.

16 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND  
17 DECREED that the United States of America should seize the aforementioned property.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory  
19 rights, ownership rights, and all rights, titles, and interests of Michael McCreedy in the  
20 aforementioned property are forfeited and are vested in the United States of America and  
21 shall be safely held by the United States of America until further order of the Court.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States  
23 of America shall publish for at least thirty (30) consecutive days on the official internet  
24 government forfeiture website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall  
25 describe the forfeited property, state the time under the applicable statute when a petition  
26 contesting the forfeiture must be filed, and state the name and contact information for the  
27 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)  
28 and 21 U.S.C. § 853(n)(2).

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual  
2 or entity who claims an interest in the aforementioned property must file a petition for a  
3 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which  
4 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §  
5 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's  
6 right, title, or interest in the forfeited property and any additional facts supporting the  
7 petitioner's petition and the relief sought.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,  
9 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,  
10 Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was  
11 not sent, no later than sixty (60) days after the first day of the publication on the official  
12 internet government forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov).

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the  
14 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States  
15 Attorney's Office at the following address at the time of filing:

16 Daniel D. Hollingsworth  
17 Assistant United States Attorney  
18 501 Las Vegas Boulevard South, Suite 1100  
Las Vegas, Nevada 89101.

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send  
20 copies of this Order to all counsel of record.

21 DATED June 29, 2021.

22  
23 

24 RICHARD F. BOULWARE, II  
25 UNITED STATES DISTRICT JUDGE  
26  
27  
28